

AMENDMENTS TO THE DRAWINGS

Replace the drawing sheet containing FIGS. 5-7 with the enclosed Replacement Sheet containing FIGS. 5-7. An Annotated Marked-up Drawing of FIGS. 5-7 accompanies this Amendment showing reference numeral corrections in FIGS. 6 and 7.

REMARKS

Claims 1-14 remain in the present application. Claims 9-14 are withdrawn from consideration.

Restriction Requirement

Applicants continue to traverse the restriction requirement as applied to dependent claims 2 and 6. These claims are drafted as product-by-process claims dependent upon preceding process (method) claims, which are allowable as will be discussed hereinafter, and therefore incorporate the process limitations of the parent claims by reason of such dependency. 35 USC 112, paragraph 4. Furthermore, it is noted that the article of claim 2 and the plastic preform of claim 6 are defined entirely by the process limitations of the parent claims, which is to say that there is no additional structure recited in dependent claims 2 and 6. Therefore, it necessarily follows that the products of claims 2 and 6, as claimed, cannot be made by another and materially different process inasmuch as the process limitations of the parent claims are expressly incorporated into the dependent claims. Furthermore, the processes of parent claims 1 and 5 as claimed necessarily cannot be used to make another and materially different product. Therefore, dependent product-by-process claims 2 and 6 are neither independent of nor distinct from the methods or processes recited in parent claims 1 and 5. MPEP 806.05(f).

Drawings

FIGS. 6 and 7 of the drawings have been amended to correct the duplication of reference numerals 318,320 in the drawings as filed. Corresponding corrections have been made at page 11 of the application text.

Specification

The reference to FIG. 8 has been deleted from the specification, and correction of the word “preform” has been implemented throughout the application text.

Claim Rejections - Prior Art

Independent claim 1 has been rejected as being anticipated by Julian 4,941,815, and independent claim 5 has been rejected as being obvious in view of Julian. Dependent claims 3-4 and 7-8 have been rejected as being anticipated by or obvious over Julian, or obvious over Julian combined with Starkey 6,116,891. Reconsideration is respectfully requested.

Amended independent claim 1 recites a method of injection molding an article, which includes the steps of providing a plurality of finish blocks and closing the plurality of finish blocks together to form a neck-finish mold cavity. A plurality of mold bodies are provided and closed together to form a body mold cavity. At least one core portion is provided in at least one of the pluralities of finish blocks and mold bodies, and at least one pocket is provided in at least one of the other of the pluralities of finish blocks and mold bodies. With the finish blocks and mold bodies closed, the at least one core portion is advanced toward the at least one pocket so that the core portion cooperates with the pocket to define at least one cavity for forming at least one radially extending element of the article. This step of advancing the core portion toward the pocket with the finish blocks and the mold bodies closed can be accomplished, for example, by providing the core portion in a fixed position on at least one of the plurality of mold bodies and advancing the mold bodies and the core portion in unison as illustrated in the embodiment of FIGS.

4A-5 and recited in claim 3, or by providing the core portion in a movable position on at least one of the mold bodies and advancing the core portion as recited in dependent claim 4 and illustrated in the embodiment of FIGS. 6-7.

The disclosure of Julian does not anticipate or render obvious the subject matter of claim 1 because the core rod 48 in Julian does not advance toward a pocket with mold bodies 54, 56 closed, and because the Julian reference does not disclose or suggest a plurality of finish blocks that are closed as part of the molding process. The Julian reference discloses an injection blow molding machine. At the injection stage 40 illustrated in FIG. 8, mold halves 54, 56 are closed around a neck-forming sleeve 62 and a core rod 48 to form an injection mold cavity. It is to be noted in particular that the core rod 48 includes an un-numbered flange adjacent to the neck-forming sleeve 62 that is captured by shoulders on the mold halves 54, 56, and that the neck-forming sleeve 62 has a peripheral shoulder that likewise is captured by the mold halves. Thus, with the mold halves 54, 56 closed as shown in FIG. 8, the core rod 48 cannot be either advanced or retracted. Therefore, the Julian patent cannot and does not disclose or suggest the step of "with said finish blocks closed and said mold bodies closed, advancing at least said at least one core portion toward said at least one pocket" as recited in claim 1.

Likewise, amended independent claim 5 recites axially advancing the core portion with the finish blocks closed and the mold bodies closed, which is a step that is not possible in the disclosure of Julian.

Both independent claims 1 and 5 also recite provision of a plurality of finish blocks and closing the plurality of finish blocks to form a neck-finish mold cavity. By contrast, the Julian reference clearly and unequivocally states that the apparatus of that

disclosure embodies a “circumferentially continuous container neck forming sleeve” 62 (column 7, lines 6-7, claim 1, column 8, lines 43-44; claim 5, column 9, lines 15-16 and claim 8, column 10, lines 20-21). It is well established that the word “plurality” means two or more. *Ex parte Murray*, 9 USP2d 1819 (BPAI 1988). Inasmuch as a key feature of the Julian disclosure is the provision of the circumferentially continuous neck ring, it follows that this reference does not disclose provision of a plurality of finish block segments that are closed to form the neck-finish mold cavity. Nor is the provision of a plurality of sections “inherent” in the disclosure of a circumferentially continuous unitary mold element, as suggested by the Examiner.

Dependent claims 2-4 and 6-8 are allowable both by reason of dependency from independent claims 1 and 5, and because of the additional novel limitations set forth therein. Starkey is cited relative to claims 4 and 8. Starkey discloses a side-action cam mechanism for moving a mold element. However, there is no mold element in Julian for which movement by a side-action cam mechanism would be “obvious.” It is noted that the elected claims of the present application are method and product-by-process claims, and there is nothing in the method or product of Julian that would require or call for a side-action cam mechanism of the type disclosed in Starkey.

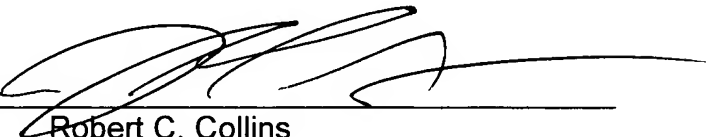
It therefore is believed and respectfully submitted that all claims 1-8 are allowable at this time, and favorable action is respectfully solicited.

Please charge any fees associated with this submission to Account No. 15-0875 (Owens-Illinois).

Respectfully submitted,

REISING, ETHINGTON, BARNES,
KISSELLE, P.C.

By

A handwritten signature in dark ink, appearing to read 'Robert C. Collins', is written over a horizontal line.

Robert C. Collins

Reg. No. 27,430

Telephone (248) 689-3500

Facsimile (248) 689-4071

